

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71147 of 2025

Arising Out of PS. Case No.-302 Year-2025 Thana- KOTWA District- East Champaran

1. Lavkush Singh @ Lav Kush Kumar S/o Pushpendra Singh R/o Village- Belwa Madho, Taktakapur, P.S.- Kotwa, District- East Champaran (Bihar)
2. Surendra Mahto S/o Shrawan Mahto R/o Village- Belwa Madho, Taktakapur, P.S.- Kotwa, District- East Champaran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Kotwa P.S. Case No. 302 of 2025 instituted for the offences under Sections 126(2), 115(2), 118(1), 109(1), 121(1), 121(2), 132, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that during an orchestra program at Belwa Madho Takatkapur High School, when P.T.C.-131, Barister Singh Yadav, tried to pacify a fight, the petitioners and others attacked him and his team with iron



rods intending to kill them. As a result, he sustained injuries and became unconscious, leading to the registration of an FIR against three named and some unknown persons.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. The specific allegation of assault is against co-accused Tuntun Ram. He further contended that as per the injury report, the injuries are simple in nature. It has been submitted on behalf of the petitioners that the petitioners are in custody since 10.08.2025. Petitioner no. 1 has no criminal antecedent whereas petitioner no. 2 has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, there being no direct allegation against the petitioners as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with



two sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Kotwa P.S. Case No.
302 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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